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**OFFICIAL****FAX RECEIVED****NOV 28 2001****GROUP 1600****IMPORTANT NOTICE**

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**CERTIFICATE OF FACSIMILE TRANSMISSION**

TO: Examiner K. Lacourciere  
Group 1635

I hereby certify that these 42 pages are  
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Trademark Office on the date shown below:

Fax No.: (703) 308-2742

FROM: Melanie K. Webster  
Reg. No.: 45,201

Cecilia Lozano  
NAME (printed)

OUR DOCKET NO.: P-SR 4301

REFERENCE: Serial No.: 09/557,796  
Filed: April 25, 2000  
Entitled: METABOLIC SELECTION METHODS

Cecilia Lozano 11/27/01  
SIGNATURE DATE

DATE: November 27, 2001

NO. OF PAGES (Including this page): 42

**SPECIAL INSTRUCTIONS:**

Transmitted herewith are the following **OFFICIAL** documents:

- 1) Communication (in duplicate): (4 pages)
- 2) Copy of PostCard: (1 page)
- 3) Copy of Check No. 027577: (1 page)
- 4) Amendment Transmittal Letter (in duplicate): (4 pages)
- 5) Petition for a three-month Extension of Time (in duplicate): (2 pages)
- 6) Response to Office Action mailed May 9, 2001: (21 pages)
- 7) Exhibit A attached to the Response: (8 pages) ✓

Please contact Cecilia Lozano at (858) 535-9001 if you DO NOT receive all pages.

Original will follow by:

U.S. Mail \_\_\_\_\_ Express Mail \_\_\_\_\_ Will Not Follow XX

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Cecilia Lozano  
NAME (printed)

Cecilia Lopez 11/27/01  
SIGNATURE DATE

COMMUNICATION ENCLOSING COPY OF PREVIOUSLY  
FILED RESPONSE TO OFFICE ACTION

To expedite prosecution of the above-identified application, attached is a copy of the Response to the Office Action mailed May 9, 2001, Exhibit A attached to the Response, the Petition for Extension of Time, check no. 027577 in the amount of \$1,232.00, the Amendment Transmittal Letter, and postcard, as originally filed by first class mail on November 7, 2001. In view of the current delays in mail service to the USPTO, and the indication from Examiner K. Lacourciere over the telephone on November 26, 2001, that the Response mailed November 7, 2001, has not yet been received, it is respectfully requested that prosecution proceed on the basis of the attached copy of the Response as originally filed.

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Inventors: Hoch and Dartois  
Serial No.: 09/557,796  
Filed: April 25, 2000  
Page 2

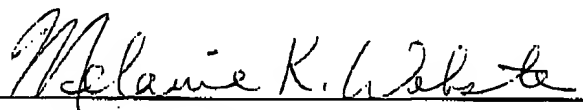
Authorization is hereby given to charge the amount of \$1,232.00 of which \$312.00 covers the additional claims fee and \$920.00 covers the fee for the three month extension of time, to Deposit Account No. 03-0370. Previously mailed check number 027577 will be canceled. A duplicate copy of this Communication is enclosed.

No other fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-0370.

Should the Examiner have any questions, she is invited to call Cathryn Campbell or the undersigned agent.

Respectfully submitted,

November 27, 2001  
Date

  
Melanie K. Webster  
Registration No. 45,201  
Telephone No. (858) 535-9001  
Facsimile No. (858) 535-8949

CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
USPTO CUSTOMER NO. 23601

FLUO ALONG PERFORMATIONS FOR EASY REMOVAL

COPY

Please acknowledge receipt of the accompanying:

- ☒ Response to the Office Action mailed May 9, 2001
- ☒ Other Exhibit A attached to the Response
- ☒ Transmittal form PTO-1083 (in duplicate)
- ☒ Petition for a three-month Extension of Time (in duplicate)
- Applicant's Name Hoch and Dartois
- Serial Number 09/557,796 Filing Date April 25, 2000
- Examiner's Name K. Lacourciere Group Art Unit 1635
- Title METABOLIC SELECTION METHODS
- ☒ Fee \$1,232.00 Enclosed ☒ Check No.: 027577
- ☒ Certificate of Mailing - 1st Class Date Mailed: November 7, 2001
- Our Docket No.: P-SR 4301 Date Due: November 9, 2001
- Client MicroGenomics
- Attorney/Secretary MKW/MEC/cl

Place your receiving date stamp hereon and return this card.

FORM UA Amend/Resp

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P\_SR 4301 - MKW/cl

\$1,232.00 - Additional claims fee and 3 month ext. of time

November 7, 2001 - COMMISSIONER FOR PATENTS

CAMPBELL &amp; FLORES LLP

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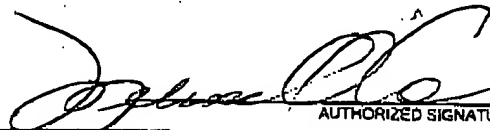
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AUTHORIZED SIGNATURE

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CAMPBELL &amp; FLORES LLP

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AMENDMENT TRANSMITTAL LETTER			DOCKET NUMBER: P-SR 4301	
SERIAL NO: 09/557,796	FILING DATE: April 25, 2000	EXAMINER: K. Lacourciere	GROUP ART UNIT: 1635	
INVENTION: METABOLIC SELECTION METHODS				

TO COMMISSIONER FOR PATENTS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C., 20231 on November 7, 2001.

By: Melanie K. Webster  
Melanie K. Webster, Reg. No. 45,201

November 7, 2001  
Date of Signature

Transmitted herewith is a Response to the Office Action mailed May 9, 2001, in the above-identified application.

- ☒ Exhibit A attached to the Response.
- ☐ Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- ☒ Petition for a three-month Extension of Time is enclosed (in duplicate).
- ☐ No additional claims fee is required.
- ☒ An additional claims fee is required and has been calculated as shown below:

## CLAIMS AS AMENDED

	NUMBER AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE		FEE	
							SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	31	-	23	-	8	x	\$9	\$18	= \$	\$144
INDEPENDENT CLAIMS	5	-	3	-	2	x	\$42	\$84	= \$	\$168
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			YES		XX NO		\$140	\$280	= \$	\$0
							TOTAL ADDITIONAL FEE		\$	\$312

\* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

\*\* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

\*\*\* If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 0, write "0" in the space.


— Please charge my Deposit Account No. 03-0370 the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.

Inventors: Hoch and Dartois  
Serial No.: 09/557,796  
Filed: April 25, 2000  
Page 2

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- X A check in the amount of \$1,232.00 is enclosed, \$312.00 of which covers the additional claims fee and \$920.00 of which covers the fee for a three-month extension of time.
- X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.
- X Any additional filing fees required under 37 C.F.R. 1.16.
- X Any patent application processing fees under 37 C.F.R. 1.17.
- X The Commissioner is hereby authorized to charge to Deposit Account No. 03-0370 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Melanie K. Webster  
Registration No. 45,201  
CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
858-535-9001  
USPTO CUSTOMER NO. 23601

AMENDMENT TRANSMITTAL LETTER			DOCKET NUMBER: P-SR 4301	
SERIAL NO: 09/557,796	FILING DATE: April 25, 2000	EXAMINER: K. Lacourciere	GROUP ART UNIT: 1635	
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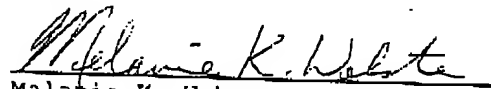


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